

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-20634 - APPLICANT/OWNER: PAMOJA, LLC

**** CONDITIONS ****

The Planning Commission (3-2/ld, ds vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 03/19/07, except as amended by conditions herein.
3. A Waiver from Title 19.12.040A is hereby approved, to allow a perimeter landscape buffer width of zero feet on the east property lines where 15 feet is the minimum required.
4. A Waiver from Title 19.12.040A is hereby approved, to allow a perimeter landscape buffer width of three feet on the north and zero feet on south and west property lines where eight feet is the minimum required.
5. A Waiver from Title 19.12.040B Landscape, Wall and Buffer Standards is hereby approved to allow three landscape buffer trees where 12 landscape buffer trees are required
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Submit an application for a deviation from Standard Drawing #222a for the driveway accessing this site from Bruce Street.
15. Provide and maintain a drivable access to the Public Utility Easement along the west edge of this site in a manner acceptable to the Collection System Planning Section of the Department of Public Works.
16. Site development to comply with all applicable conditions of approval for ZON-20636 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed conversion of a single-family residence to a 1,465 square foot commercial building and Waivers of perimeter landscape buffer requirements to allow a zero foot buffer along a portion of the east property line where 15 feet is required, a zero foot wide buffer along a portion of the south and west property lines where eight feet is the minimum required, and a three foot wide buffer along a portion of the north property lines where eight feet is the minimum required on 0.12 acres at 141 North Bruce Street.

There are two companion items that are associated with this applicant, a Rezoning (ZON-20636) from R-1 (Single-Family Residential) to C-1 (Limited Commercial), a Variance (VAR-20635) request to allow three parking spaces where nine parking spaces are required, and a Variance to allow a 60 foot lot width where 100 feet is required for a C-1 (Limited Commercial) Zone.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/86	The City Council adopted by Ordinance #3218 the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area at 141 North Bruce Street.
05/24/07	<p>The Planning Commission recommended denial of companion items ZON-20636, VAR-20635 and VAR-21635 concurrently with this application.</p> <p>The Planning Commission voted 3-2/ld, ds to recommend DENIAL (PC Agenda Item #49/jm).</p>
<i>Pre-Application Meeting</i>	
02/12/07	A pre-application meeting was held with the applicant. The applicant was informed that their proposal would require a Rezoning to C-1 (Limited Commercial) and their lack of parking demonstrated in their site plan would require a Variance of Title 19.10 Parking Standards. In addition, the front yard is completely paved requiring the applicant to ask for a waiver of Title 19.12 Landscape Standards.
04/23/07	A meeting was held on 04/23/07 with traffic. The applicant was informed that reconfigure their parking plan so that parking did not back onto Bruce Street. The applicant was also informed that a utility (sewer) easement is located in the rear yard that prohibits the planting of trees. In addition, the utility company requires access to the rear which deletes landscaping on the south side of the property.

Field Check	Description
04/3/07	The front yard is paved as well as the backyard. There is a distinct slope from the front yard to the street on Bruce.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.12

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
North	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
South	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
East	Elementary School	PF (Public Facilities)	C-V (Civic)
West	Single Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	60 Feet	N*
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	20 Feet 10 Feet 15 Feet 20 Feet	29 Feet 10.6 Feet N/A 25 Feet	Y
Max. Lot Coverage	50%	28%	Y
Max. Building Height	N/A	16 Feet	Y
Trash Enclosure	Yes	Street Curb	Y
Mech. Equipment	Screened	Not shown	Y

**Applicant requests a Variance (VAR-21635) for Lot Width in C-1 (Limited Commercial).*

Pursuant to Title 19.12, the following landscape standards apply:

<i>Landscaping and Open Space Standards</i>				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	Zero Trees	Zero Trees	Y
Buffer:				
Min. Trees (adjacent to Residential)	1 Tree/ 20 Linear Feet	3 Trees	Zero Trees	N*
Min. Trees (adjacent to Commercial)	1 Tree/ 30 Linear Feet	6 Trees	3 Trees	N*
Min. Trees (adjacent to R.O.W.)	1 Tree/ 20 Linear Feet	3 Trees	Zero Trees	
TOTAL		12 Trees	3 Trees#	N*
Min. Zone Width (Right-of-Way)	15 Feet		Zero Feet	N*
Min. Zone Width (Interior)	8 Feet		Zero Feet	N*
Wall Height	8 Feet		Existing	N/A

**Applicant requests Waiver to Title 19.12 Landscape Requirements
#13 additional trees are placed throughout the site.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store	1465 SF	1/175	8	1	2	1	N*
TOTAL			9		3		N*
Percent Deviation			66%				

The applicant has requested a parking Variance (VAR-20635).

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
Zero Parking Lot Landscape Fingers	1 per 6 parking spaces	Denial
Waivers of perimeter landscape buffer requirements to allow a zero foot buffer along a portion of the east property line where 15 feet is required.	15 Feet	Denial
Waivers of perimeter landscape buffer requirements to allow a zero foot wide buffer along a portion of the south and west property lines where eight feet is the minimum required.	8 Feet	Approval, sewer easement prohibits planting of trees.
Waivers of perimeter landscape buffer requirements to allow a three foot wide buffer along a portion of the north property lines where eight feet is the minimum required.	8 Feet	Denial

ANALYSIS

- Zoning

The applicant is requesting a Rezoning from R-1 (Single Family Residential) to a C-1 (Limited Commercial) District. As the proposed development has a lot width of 60 Feet where 100 feet is required, it does not meet the lot width requirement for a C-1 (Limited Commercial) District, and a companion Variance (VAR-21635) has been requested.

- Site Plan

The applicant is proposing to convert the existing 1,582 square-foot single family residential building into a 1,465 square foot commercial building. The parking is in the front of the site with two of the spaces parked east to west, parallel with the building. There is a van accessible space that backs onto Bruce Street. This is a public safety concern for staff as the design of the parking area does not meet Title 19.10J Parking standards for access.

All parking areas shall provide suitable maneuvering room so that all vehicles may enter an abutting street in a forward direction. The backing of a motor vehicle onto a public street from a parking area shall be prohibited.

The project as designed requires several deviations from standards, including landscape waivers for the perimeter buffer width and landscape fingers in the parking lot area. Additionally, two Variances (VAR-20635 & VAR-21635) have been requested for lot width requirements and parking respectively. These deviations from standards indicate that the applicant is intending to overbuild the site.

- Waivers

The applicant is requesting Waivers of perimeter landscape buffer requirements to allow a zero foot buffer along a portion of the east property line where 15 feet is required, a zero foot wide buffer along a portion of the south and west property lines where eight feet is the minimum required, and a three foot wide buffer along a portion of the north property lines where eight feet is the minimum. These waivers cannot be supported as the applicant is attempting to overbuild the site.

- Landscape Plan

Several Title 19.12 standards cannot be met as a result of the size of the building and the configuration of parking areas. A utility (sewer) easement is located in the rear yard that prohibits the planting of trees. In addition, the applicant needs to provide access to the rear easement, which deletes landscaping on the south side of the property. The applicant has attempted to provide a landscape buffer in the rear of the site adjacent to the easement. The buffer provides seven trees. Staff can support these two waivers.

However, the site is also deficient in landscape buffer width requirements on the north and east property lines. Since these are self-imposed hardships, staff cannot support them.

- Elevation

Elevations depict a one-story single family residential structure approximately 16 feet in height. The applicant intends to remodel the building for commercial purposes.

- Floor Plan

The Floor plan depicts a residential building that will be modified from 1,582 square feet to 1,465 square feet in size, removing a room in the northwest exterior of the existing building. The floor plan does not designate the use for the proposed rooms.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The parcels adjacent to the north and south are zoned C-1 (Limited Commercial) and are used for office purposes. Staff does support the Rezoning (ZON-18923) request and the proposed use would be compatible with others in the immediate area; however, the multiple deviations from standards indicate that the applicant is intending to overbuild the site. Therefore, denial is recommended.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development requires several deviations from standards as designed. The project requires waivers of the perimeter landscape buffer requirements. Variances are required for lot width and parking deficiencies. Due to these deviations denial of this request is recommended.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site gains access from Bruce Street, an 80 foot Secondary Collector designated by the Master Streets and Highway Plan. The van accessible parking space backing onto Bruce Street is a public safety concern as the design of the parking area does not meet Title 19.10J Parking standards for access.

- 4. Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials are appropriate for the area and the City of Las Vegas.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

Elevations and design characteristics for the office building are not unsightly or obnoxious in appearance; however, the building style is not harmonious and compatible with existing development. The style does not reflect the existing residential development or historic architecture.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The van accessible parking space backing onto Bruce Street is a public safety concern as the design of the parking area does not meet Title 19.10J Parking standards for access.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 591 by Planning Department

APPROVALS 0

PROTESTS 0